

14 November 1957

Dear Lofty:

You will recall I sent you our brochure entitled, "Problems in Controlling the Release of Information to the Courts or Congress." This was a classified document because of certain references to matters relating to this Agency's activities which are still classified.

In your letter of July 8, returning this document, you asked if we could have the classified portion deleted and furnish you copies of the remainder. We have done so and enclosed are two copies of the unclassified document for such use as you wish to put them to. We have additional copies if you have any need for them.

Incidentally, we agree with your excellent suggestion that we make reference to the President's letter to the Secretary of Defense, dated May 17, 1954, attaching a memorandum for the Attorney General on this subject. However, we have made the reference in Annex A rather than Annex B, and it appears on page 2 of Annex A.

If your staff makes any critique of this article, or if we can be of any assistance to you in this regard, please let us know.

Best regards.

Sincerely,

SIGNED

Enclosures

Lawrence R. Houston

Loftus E. Becker, Esq.
The Legal Adviser
Department of State
Washington 25, D. C.

OGC:LRH:jeb

cc: OGC chrono-no circ

subject-Publications, C. R. Security-3

Approved For Release 2004/05/12 : CIA-RDP62-00631R000300200020-6

13 November 1957

NOTE FOR: Mr. Houston

Here are two copies of the sterilized version of [redacted] paper for forwarding to Mr. Becker; I assume you will want to reply to him personally. You may want to convey one or more of the following points:

1. The present version represents a minimal revision of the old classified version and I think preserves the continuity perfectly well.
2. We have lots of copies should he wish more.
3. The Attorney General's memorandum mentioned in paragraph three of Becker's letter was lifted substantially from the Wolkinson article cited on page two of Annex A. I added a comment to that effect parenthetically as a result of Mr. Becker's excellent suggestion. The Wolkinson article was and is cited several times in the body of the paper.

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NOTE FOR: Mr. Houston

1. The sterilized version of the [redacted] paper is ready for the printer. We took this occasion to proofread and make corrections on the entire paper.

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2. With reference to paragraph 3 of Mr. Becker's memorandum, the Attorney General's memorandum was lifted almost in its entirety from the Wolkinson article in 10 Federal Bar Journal, which Steve cited in numerous footnotes. The reader's attention is called to the similarity of these two items in the penultimate entry under "Articles," Annex A. You may want to mention this in your letter to Mr. Becker.

letter



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~~SECRET~~ Copy No. 1 of 3 Series A
THE LEGAL ADVISER
DEPARTMENT OF STATE
WASHINGTON

July 8, 1957

re: Memorandum entitled "Problems in Controlling the Release of Information to the Courts or Congress" dated December, 1956.

Dear Larry:

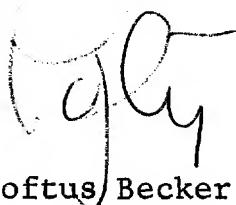
Thank you very much for the above memorandum. I have read it carefully and think it an excellent summation of the pertinent authorities.

Since I would hope to have a comparable study made for use by the Department, I would greatly appreciate it if you could arrange to have the classified portion deleted and let me have a copy of the remainder.

Incidentally, in Annex B, wouldn't it be a good idea to have a reference to the President's letter to the Secretary of Defense, dated May 17, 1954, attaching a memorandum from the Attorney General relating to your subject?

Best personal regards.

Sincerely,



Loftus Becker

Lawrence R. Houston, Esq.
General Counsel
2430 E St., N. W.
Washington, D. C.

Attachment:

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MEMORANDUM FOR: The Legal Advisor
Department of State

Here is the study on release of information to the courts or Congress I mentioned on the telephone. It reaches no startlingly new conclusions but is, I believe, a good summation of the pertinent authorities. We plan to bring it up to date eventually to comprehend the Jencks ruling and subsequent developments.

It is classified primarily because of the discussion of the [redacted] case with Congress. If you wish to use this study on an unclassified basis, we can quite easily arrange for the elimination of the classified portion.

[redacted] (DATE)

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General Counsel CIA

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